

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DENNIS P. GLICK,

Plaintiff,

vs.

ROGER E. WALKER, JR., *et al.*,

Defendants.

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CIVIL NO. 06-586-GPM

MEMORANDUM AND ORDER

MURPHY, District Judge:

This matter came before the Court on January 12, 2009, for hearing on Defendants' motions for summary judgment based on their affirmative defense of exhaustion of administrative remedies. This action is governed by the Prison Litigation Reform Act (PLRA); therefore, exhaustion is a precondition to Plaintiff filing suit. For the following reasons and for those set forth on the record during the hearing, the Court finds that Plaintiff failed to exhaust each of his claims.

As to Counts 1, 2, and 4, Plaintiff purposefully chose not to name or describe the individuals about whom he complained. It was a tactical mistake on his part and a clear misunderstanding of Seventh Circuit law. The Illinois Administrative Code sets forth the grievance procedure that inmates in Illinois must follow, and *Jones v. Bock* holds nothing to the contrary. *See* 549 U.S. 199, 218 (2007) ("The level of detail necessary in a grievance to comply with the grievance procedures will vary from system to system and claim to claim, but it is the prison's requirements, and not the PLRA, that define the boundaries of proper exhaustion."). As to Count 3, Plaintiff simply did not follow the necessary procedure after the "emergency" status of his grievance was not substantiated.

Whatever happened after this lawsuit was filed is beside the point.

With respect to all of these claims, the Court finds that the failure to exhaust was Plaintiff's fault; therefore, this action is over. *See Pavey v. Conley*, 544 F.3d 739, 742 (7th Cir. 2008). Accordingly, Defendants' motions for summary judgment (Doc. 58, 83) are **GRANTED**, and the Clerk of Court is **DIRECTED** to enter judgment in favor of Defendants.

IT IS SO ORDERED.

DATED: 01/13/09

s/ G. Patrick Murphy

G. PATRICK MURPHY
United States District Judge